

ORAL ARGUMENT SET FOR MAY 17, 2024

No. 23-1175 (L), 23-1222

**UNITED STATES COURT OF APPEALS FOR THE DISTRICT
OF COLUMBIA CIRCUIT**

CITY OF PORT ISABEL, *et al.*,
Petitioners,
v.
FEDERAL ENERGY REGULATORY COMMISSION,
Respondent.

On Petition for Review of Orders of the
Federal Energy Regulatory Commission

ERRATA TO PETITIONERS' JOINT FINAL REPLY BRIEF

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Dated March 26, 2024

Petitioners hereby respectfully submit this errata to the Reply Proof Brief of Petitioners filed on March 12, 2024 (Doc. No. 2044638). The final reply omits a paragraph in the summary regarding a claim not brought in this case. Specifically, Petitioners' proof reply brief, which was derived from the parallel brief filed in case 23-1174 (L) (concerning the Rio Grande terminal), inadvertently included a paragraph in the summary (page 3) that pertained to a carbon capture and sequestration claim brought in case 23-1174 but not in this case. This now-omitted paragraph read:

On carbon capture and sequestration, Vecinos held that FERC failed to demonstrate that the project's greenhouse emissions did not render them contrary to the public interest. This is not a case where FERC has already determined that further mitigation is unnecessary. Carbon capture is also a connected action, demonstrated by Rio Grande's explicit request that FERC consider carbon capture in its reevaluation of the terminal.

Because no such claim is brought in this case, or argued elsewhere in the reply, this paragraph is omitted from the final reply's summary.

Other than addition of joint appendix cites, updates to citations to the prior briefs, and typographic changes, no other changes have been made between the proof and final reply briefs in this case.

Dated March 26, 2024

Respectfully submitted,

/s/ Nathan Matthews

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of March, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all registered CM/ECF users.

/s/ Nathan Matthews

Nathan Matthews